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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
YIGDALL, MICHAEL J	
ART UNIT	**PAPER NUMBER**
2122	

DATE MAILED: 01/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/766,062	DUNN ET AL.	
	Examiner	Art Unit	
	Michael J. Yigdall	2122	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 September 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☒ Interview Summary (PTO-413) Paper No(s)/Mail Date. *20050113* .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Applicant's response filed on September 7, 2004 has been fully considered. Claims 1-30 are pending.

Response to Arguments

2. Applicant's arguments have been fully considered but they are not persuasive.

3. Applicant contends that Griffin does not disclose the feature of "executing scripting language statements within a first frame to verify contents of a second markup language document within a second frame" (Applicant's remarks, page 4). With regard to the combination of Welter and Griffin, Applicant further contends that the motivational statement does not link any particular characteristic from the teachings of Griffin into the teachings of Welter (Applicant's remarks, page 4), and similarly that there is no argument as to why someone would particularly look to the teachings of Griffin for something lacking in the teachings of Welter (Applicant's remarks, page 5).

However, Welter discloses executing a configuration file to test or verify the contents of an HTML document (see, for example, column 5, lines 6-18).

Griffin discloses a set of browser frames for performing a test procedure and stepping a user through the test (see, for example, column 4, lines 47-55), wherein one frame includes scripts that provide content for the test in another frame (see, for example, column 4, lines 56-65). Griffin discloses that the browser interface, which is to say the set of frames, guides the user through complicated test procedures and provides instructions to further aid the user in performing the tests (see, for example, FIG. 5 and column 1, lines 58-63).

One of ordinary skill in the art at the time the invention was made would have been motivated to guide the user through the test procedures disclosed by Welter and provide instructions to further aid the user in performing the tests. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the test procedures of Welter within a set of frames, such as taught by Griffin.

As presented above, Griffin also discloses that scripts in a first frame provide content for the tests in a second frame, and likewise, Welter discloses executing a configuration file to test or verify the contents of an HTML document. Therefore, in view of Griffin, it would have been obvious to one of ordinary skill in the art at the time the invention was made to execute the configuration file of Welter as a script or scripting language statements in a first frame to verify the contents of a document in a second frame.

Moreover, the examiner does not dispute Applicant's statement that "one could argue that adding any hypothetical graphical user interface feature to a software testing utility would help direct a user through the testing procedure" (Applicant's remarks, page 5). In this case, the set of frames taught by Griffin is a specific feature that does indeed guide the user through complicated test procedures, as disclosed.

4. Applicant further contends that Welter does not disclose the feature of "in response to loading the third markup language document, calling a function in scripting language statements within the first frame" (Applicant's remarks, page 7), and likewise that Welter does not disclose the feature of "verifying contents of the third markup language document using the called function" (Applicant's remarks, page 8).

However, Welter discloses executing or calling the configuration file, or in other words, the scripting language statements, to test or verify the contents of the HTML document (see, for example, column 5, lines 6-18). Welter also discloses performing the analysis, based on the scripting language statements, by using or calling several matching methods or matching functions (see, for example, column 8, lines 1-9).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 1-12, 14-20, 22-28 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 6,138,157 to Welter et al. (art of record, "Welter") in view of U.S. Pat. No. 6,442,714 to Griffin et al. (art of record, "Griffin").

With respect to claim 1 (original), Welter discloses a method for operating a test automation facility in a data processing system (see, for example, the title and abstract), the method comprising:

(a) loading an initial markup language document into a browser application at a client, wherein the initial markup language document initializes a set of browser frames (see, for example, column 8, lines 31-39, which shows loading an HTML document that has a frame tag for initializing a set of browser frames).

Welter also discloses executing a configuration file to test or verify the contents of an HTML document (see, for example, column 5, lines 6-18), but does not expressly disclose:

(b) executing scripting language statements within a first frame to verify contents of a second markup language document within a second frame.

However, Griffin discloses a set of browser frames for performing a test procedure and stepping a user through the test (see, for example, column 4, lines 47-55), wherein one frame includes scripts that provide content for the test in another frame (see, for example, column 4, lines 56-65). Griffin discloses that the browser interface, which is to say the set of frames, guides the user through complicated test procedures and provides instructions to further aid the user in performing the tests (see, for example, FIG. 5 and column 1, lines 58-63).

One of ordinary skill in the art at the time the invention was made would have been motivated to guide the user through the test procedures disclosed by Welter and provide instructions to further aid the user in performing the tests. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the test procedures of Welter within a set of frames, such as taught by Griffin.

As presented above, Griffin also discloses that scripts in a first frame provide content for the tests in a second frame, and likewise, Welter discloses executing a configuration file to test or verify the contents of an HTML document. Therefore, in view of Griffin, it would have been obvious to one of ordinary skill in the art at the time the invention was made to execute the configuration file of Welter as a script or scripting language statements in a first frame to verify the contents of a document in a second frame.

With respect to claim 2 (original), Welter in view of Griffin also discloses loading the second markup language document into the second frame after receiving the second markup language document from a server within the data processing system (see, for example, column 8, lines 31-39, which shows requesting a document from a frame URL, and column 8, lines 1-9, which shows receiving and loading the HTML document).

With respect to claim 3 (original), the claim recites an apparatus that corresponds to the method of claim 1 (see Welter and Griffin as applied to claim 1 above, and see, for example, Welter, column 2, lines 44-60, which shows an apparatus).

With respect to claim 4 (original), the claim recites an apparatus that corresponds to the method of claim 2 (see Welter and Griffin as applied to claim 2 above).

With respect to claim 5 (original), the claim recites a computer program product that corresponds to the method of claim 1 (see Welter and Griffin as applied to claim 1 above, and see, for example, Welter, column 2, lines 44-60, which shows a computer program product).

With respect to claim 6 (original), the claim recites a computer program product that corresponds to the method of claim 2 (see Welter and Griffin as applied to claim 2 above).

With respect to claim 7 (original), Welter discloses a method for operating a test automation facility in a data processing system (see, for example, the title and abstract), the method comprising:

(a) loading an initial markup language document into a browser application at a client, wherein the initial markup language document comprises a set of frames (see, for example, column 8, lines 31-39, which shows loading an HTML document that comprises a set of frames).

Welter also discloses executing a configuration file to test or verify the contents of an HTML document (see, for example, column 5, lines 6-18), but does not expressly disclose:

(b) loading a second markup language document within a first frame of a browser application window, wherein the second markup language document comprises scripting language statements.

However, Griffin discloses a set of browser frames for performing a test procedure and stepping a user through the test (see, for example, column 4, lines 47-55), wherein one frame includes scripts that provide content for the test in another frame (see, for example, column 4, lines 56-65). Griffin discloses that the browser interface, which is to say the set of frames, guides the user through complicated test procedures and provides instructions to further aid the user in performing the tests (see, for example, FIG. 5 and column 1, lines 58-63).

One of ordinary skill in the art at the time the invention was made would have been motivated to guide the user through the test procedures disclosed by Welter and provide instructions to further aid the user in performing the tests. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the test procedures of Welter within a set of frames, such as taught by Griffin.

As presented above, Griffin also discloses that scripts in a first frame provide content for the tests in a second frame, and likewise, Welter discloses executing a configuration file to test or verify the contents of an HTML document. Therefore, in view of Griffin, it would have been

obvious to one of ordinary skill in the art at the time the invention was made to provide the configuration file of Welter as a script or scripting language statements in a first frame.

Welter in view of Griffin also discloses:

(c) loading, within a second frame of the browser application window, a third markup language document that was received from a server in response to a request initiated by a user (see, for example, column 8, lines 31-39, which shows requesting a document from a frame URL, and column 8, lines 1-9, which shows receiving and loading the HTML document; also see, for example, column 4, lines 40-42 and 57-65, which shows operating in response to a request initiated by a user);

(d) in response to loading the third markup language document, calling a function in scripting language statements within the first frame (see, for example, column 5, lines 6-18, which shows executing or calling the configuration file, or in other words, the scripting language statements, to test or verify the contents of the HTML document, and column 8, lines 1-9, which shows performing the analysis, based on the scripting language statements, by using or calling several matching methods or matching functions); and

(e) verifying contents of the third markup language document using the called function (see, for example, column 5, lines 6-18, which shows testing or verifying the contents of the HTML document using the configuration file, or in other words, the scripting language statements, and column 8, lines 1-9, which shows performing the analysis, based on the scripting language statements, by using or calling the matching methods or matching functions).

With respect to claim 8 (original), Welter in view of Griffin also discloses receiving user-selected actions through user interface controls presented within the first frame of the browser

application window (see, for example, FIGS. 4A, 4B and 4C, and column 5, lines 49-67, which shows user interface controls for obtaining user-selected actions).

With respect to claim 9 (original), Welter in view of Griffin also discloses receiving user-specified test parameters through the user interface controls (see, for example, FIGS. 4A, 4B and 4C, and column 5, lines 49-67, which shows user interface controls for obtaining user-specified test parameters).

With respect to claim 10 (original), Welter in view of Griffin also discloses repeating, for a user-specified duration or loop count, the step of loading the third markup language document into the second frame of the browser application window (see, for example, column 6, lines 27-41, which shows specifying a schedule and duration for repeating the test procedure), wherein the Uniform Resource Identifier (URI) of the third markup language document is associated with the called function (see, for example, column 6, lines 1-6, which shows specifying the URL or URI of the HTML document associated with the test procedure).

With respect to claim 11 (original), Welter in view of Griffin also discloses, prior to calling the function, detecting a directive in the third markup language document that directs the browser application to call the function (see Welter, column 8, lines 10-39, which shows searching the HTML document for tags or directives to invoke the test procedure).

With respect to claim 12 (original), Welter in view of Griffin also discloses logging messages into a third frame of the browser application window (see, for example, column 5, lines

6-18, which shows logging messages to a file, and column 4, lines 40-44, which shows displaying the log, for example in a browser window or frame).

With respect to claim 14 (original), Welter in view of Griffin also discloses the limitation wherein the markup language is Hypertext Markup Language (see, for example, column 2, lines 23-33, which shows HTML documents).

With respect to claim 15 (original), the claim recites an apparatus that corresponds to the method of claim 7 (see Welter and Griffin as applied to claim 7 above, and see, for example, Welter, column 2, lines 44-60, which shows an apparatus).

With respect to claim 16 (original), the claim recites an apparatus that corresponds to the method of claim 8 (see Welter and Griffin as applied to claim 8 above).

With respect to claim 17 (original), the claim recites an apparatus that corresponds to the method of claim 9 (see Welter and Griffin as applied to claim 9 above).

With respect to claim 18 (original), the claim recites an apparatus that corresponds to the method of claim 10 (see Welter and Griffin as applied to claim 10 above).

With respect to claim 19 (original), the claim recites an apparatus that corresponds to the method of claim 11 (see Welter and Griffin as applied to claim 11 above).

With respect to claim 20 (original), the claim recites an apparatus that corresponds to the method of claim 12 (see Welter and Griffin as applied to claim 12 above).

With respect to claim 22 (original), the claim recites an apparatus that corresponds to the method of claim 14 (see Welter and Griffin as applied to claim 14 above).

With respect to claim 23 (original), the claim recites a computer program product that corresponds to the method of claim 7 (see Welter and Griffin as applied to claim 7 above, and see, for example, Welter, column 2, lines 44-60, which shows a computer program product).

With respect to claim 24 (original), the claim recites a computer program product that corresponds to the method of claim 8 (see Welter and Griffin as applied to claim 8 above).

With respect to claim 25 (original), the claim recites a computer program product that corresponds to the method of claim 9 (see Welter and Griffin as applied to claim 9 above).

With respect to claim 26 (original), the claim recites a computer program product that corresponds to the method of claim 10 (see Welter and Griffin as applied to claim 10 above).

With respect to claim 27 (original), the claim recites a computer program product that corresponds to the method of claim 11 (see Welter and Griffin as applied to claim 11 above).

With respect to claim 28 (original), the claim recites a computer program product that corresponds to the method of claim 12 (see Welter and Griffin as applied to claim 12 above).

With respect to claim 30 (original), the claim recites a computer program product that corresponds to the method of claim 14 (see Welter and Griffin as applied to claim 14 above).

7. Claims 13, 21 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Welter in view of Griffin as applied to claims 7, 15 and 23 above, respectively, and further in view of *Microsoft Press Computer Dictionary, Third Edition* (art of record, "Dictionary").

With respect to claim 13 (original), although Griffin discloses the Perl scripting language (see, for example, column 4, lines 47-55), Welter in view of Griffin does not expressly disclose the limitation wherein the scripting language is JavaScript.

However, Griffin further discloses implementing the system with software languages other than the Perl scripting language (see, for example, column 2, line 64 to column 3, line 5). Moreover, the JavaScript language is well known in the art for adding functions to HTML documents (see, for example, Dictionary, page 269, "JavaScript").

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the test procedures of Welter in view of Griffin with the JavaScript scripting language, as is known in the art, so as to add functions to the HTML documents.

With respect to claim 21 (original), the claim recites an apparatus that corresponds to the method of claim 13 (see Welter, Griffin and Dictionary as applied to claim 13 above).

With respect to claim 29 (original), the claim recites a computer program product that corresponds to the method of claim 13 (see Welter, Griffin and Dictionary as applied to claim 8 above).

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Yigdall whose telephone number is (571) 272-3707. The examiner can normally be reached on Monday through Friday from 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on (571) 272-3695. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MY

Michael J. Yigdall
Examiner
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